

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

vs.

**No. CV 16-00736-RB-SMV
No. CR 09-02968-RB**

DANIEL RAMON MUÑOZ,

Defendant/Movant.

**ORDER STAYING CASE PENDING
TENTH CIRCUIT AUTHORIZATION PURSUANT TO 28 U.S.C. § 2255(h)**

THIS MATTER is before the Court under rule 4 of the Rules Governing Section 2255 Proceedings on Defendant/Movant Daniel Ramon Muñoz's Motion to Correct Sentence Pursuant to 28 U.S.C. § 2255, filed on July 27, 2016. [CV Doc. 1; CR Doc. 531] This is a successive § 2255 Motion and Muñoz has not yet obtained authorization to proceed from the United States Court of Appeals for the Tenth Circuit. *See* 28 U.S.C. § 2255(h). The Court notes, however, that Muñoz has filed a Motion for Permission in the Tenth Circuit, seeking authorization to proceed with his § 2255 Motion. *See In re: Muñoz*, No. 16-2160 (10th Cir. June 28, 2016). Therefore, the Court will order this case stayed pending the Tenth Circuit's ruling on Muñoz's Motion for Permission.

IT IS ORDERED that this matter is STAYED pending the ruling of the United States Court of Appeals for the Tenth Circuit on Muñoz's Motion for Permission to file a second or successive habeas petition under 28 U.S.C. § 2255.



STEPHAN M. VIDMAR
UNITED STATES MAGISTRATE JUDGE